

United States District Court
for the Western District of Pennsylvania

United States of America,

v.

Frederick Banks,
Defendant.

04-CR-176

15-CR-168 168

FILED

APR 21 2016

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Motion + Application to Chief Judge
Joy Flowers Conti and Judge Mark Hornak
for Release and other relief (This letter extends to)


- Frederick Banks, an American Indian files the foregoing motion and states the Indian Canon of Choate v. Trapp must be applied to the issues herein, requesting from the Court, govt & counsel, fact
1. The FBI unlawfully Targeted me and harassed me because of my lawsuits exposing the fact that in USA v. Banks, 03-cr-245 Special Agent Timothy Pivnichny set me up in a case fixing Scheme by pointing, brandishing and threatening his firearm at Meredith Bondi, my fiancée before she testified for the prosecution in front of a Grand Jury. Pivnichny, Bondi and Cynthia Reed Eddy, Bondi's attorney were all present when this occurred at 700 Grant Street. Pivnichny also tampered with physical evidence in the case by fixing or causing to be fixed an Orbit II OVO/CO Copier before trial which he demonstrated at trial. Pivnichny committed perjury in 03-cr-245 and 04-cr-176 when he seemed to deny repairing the Orbit II. He was sweating on the stand in both cases. The electronic surveillance by the CIA will reveal he did everything I said he did and that the FBI and CIA unlawfully Targeted and harassed me for years. Electronic Surveillance is a "State Secret" however 50 USC § 1806(f) pre-empts the State Secrets defense See Jewel v. NSA (cath Cir.) what is going to happen is this I have a 9th circuit Judge who will disclose the surveillance under 1806(f) if this Court does not order the Surveillance lifted immediately and release me from prison you will all be soon looking for new jobs. If you have any doubt to what I say ask former District Judge Stephen Larson (cal), former Bop Director Harley Lappin, and Gary Warren an attorney from Texas now disbarred who were all Fired by litigation I filed.
 2. Judge Mark Hornak is a liar. He stated in Court in 15-cr-168 that by my observations of you report that I "maintained appropriate and intense eye contact... there were no abnormal involuntary movements, mannerisms, gestures or his." Hornak is inappropriately engaged with the FBI and prosecution to violate my Speedy Trial Right by delaying my case and keeping me in the dark on the status. my attorney Adrian Roe is a liar who told me that if I did not plead guilty he could not represent me then lied about it when asked by Hornak in open Court. when I wrote Hornak a letter he does nothing but has the law clerk take notes from the calls and letters. I need a Judge who takes action. Roe has not paid me an attorney visit since October 15, 2015! He is neither informing me or keeping in touch with his client in violation of the ABA code of conduct. Yet Hornak took the time to ridicule my Wiccan religion in open Court. Hornak thought it was ridiculous for me to seek an apology for the thousands of deaths committed in the Salem witch trials and European "Hammer of the Witches" from Pope Francis (Wiccans see the Pope as the moral compass of Christianity See The mysteries by Stewart + Janet Farrar (VHS) and therefore the proper person to apologize for those atrocities) and probably thinks it's ridiculous that I uncovered and seek to expose multiple deaths committed by CIA electronic surveillance

including Vester Flannigan, Allison Parker, the children of Laura Michelle Schlemmer which compared to Foggy v. U.S. Govt (eth Dist Idaho 2007) (Plaintiff claimed the government placed "Hollywood voices" inside her head which told her to kill her son), and Aaron Alexis who made a video describing in vivid detail the electronic surveillance technology that was targeting him before he went on a shooting rampage (see youtube.com at "Aaron Alexis (Part 1)"). According to Freedom from Covert Harassment there are 300,000 Targets of CIA electronic surveillance in the US and 75% of them are women (see freedomfch.com). Hornak stated in open Court that the Technology I described was a "State Secret." Hornak joked about this. To hundreds of thousands of U.S. taxpayers this is no joking matter. Roe requested a hearing to determine if Voice to Skull Technology Exist. Voice to Skull is another name for electronic surveillance and according to The Federation of American Scientist is a sound source used by airports to frighten birds away for example (see "Voice to Skull" at fas.org) Also a search at nsa.gov for Voice to Skull yields over 300 hits! All this Court has to do is order that the electronic surveillance be disclosed.

3. Robert Cellari, Audit knows the technology exists he twisted uncomfortably in his chair on the subject! FBI agent Robert Werner lied to the Grand Jury on multiple occasions when he stated I threatened and harassed Timothy Pirmehy by telephone because at the arraignment on 8/11/15 he recanted his statements and confirmed just as the Sprint phone records did that Pirmehy did not receive the phone calls "they did not connect." The FBI also targeted me by causing my mail to be returned as not deliverable by the U.S. post office see exhibit A. which I confirmed through post office employees and
4. by failing to return my computers, tablets, a nikon camera, vehicle and other property which Judge Conti told them to return in open Court at a revocation hearing in US Attn Banks, 04-cr-176. All the property must be returned I must be compensated and released. I talked to an ACLU intake coordinator about suing the FBI and CIA concerning issues in 15-cr-168 before the Superseding Indictment was returned. They later turned out to be the Grand Jury for perjury on the Indictments! The ACLU employee was on the sitting Grand Jury against me in which Werner lied and never informed me! The FBI came 400 deep to my house to arrest me with a Search Warrant that had no affidavit attached to it! I called Robert Mitchell the Judge who issued it Mitchell never responded to my inquiry. FBI told both attorneys Roe and Linda Cohen that "we don't want Frederick Banks out there saying stuff about us" and they only bookmarked Law suits as "Discovery." Thus, I'm only in prison because I sued the FBI! They brought bogus wire fraud charges that Judge Conti and Judge Fischer already punished me for in prior revocations! I have been waiting for 9 months for an order on a bond reconsideration motion, 9 months!!! No letter from the Court, no docket sheet, no visit from counsel and no computer hard drives which were requested many months ago. I'm also charged with a bogus false swearing charge when under 18 USC § 1001(c) it doesn't apply to a party in the proceeding. And the charge at Court 1 is bogus because Pirmehy never received any telephone threats or harassment from me there is no course of conduct, I demand to be released, to receive a docket sheet, all the Court's orders, my property + compensation and an investigation of my claims from the Court and the Justice Department. The FBI is Targeting me and covering up the entire affair I need Justice to investigate.

5. I need to know the status on the Bond Reconsideration motion and am representing myself. If Judge Hornak cannot or will not address these issues therein he needs to be removed from this case. There has been nothing but delays in this case which violated my 70 day Speedy trial right. The FBI stole Ten years of my life by setting me up when I contested this by litigation they arrested me for harassment because on the day when some Court genius finally decided to release me I will be taking a lie detector test along with my numerous witnesses my prediction is that a lot of people will be losing their jobs. I'm taking this to the media if no compensation is received!!! and I'm filing a claim against Adrian Roe for legal malpractice. The Allegheny County Jail had me in solitary confinement and had not provided a shower or recreation in 8 months!!! and had not provided a razor in 90 days! They house me in a cell with standing muddy water and gang sign on the walls and have not provided me with any tools to practice my religion, Wicca. Attorney Adrian Roe told my Calworker Cynthia McSwiggan not to provide me with anything it's obvious what is going on here. My First Amendment Rights are being suppressed! The ventilation in my cell is poor and the Sandwhiches meat is rotten! Multiple inmates are complaining about their dreams the CIA is pumping in video to them by wireless signals. Wherefore, the foregoing motion should be granted. Apperentary hearing should be ordered on these issues.

Respectfully Submitted,


Frederick Banks

120759

Allegheny County Jail

956 Second Avenue

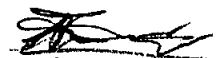
Pittsburgh, PA 15219

Defendant

Certificate of Service

I hereby certify that on this 19th day of April, 2016 I served a true and correct copy of the foregoing by mail delivery upon the following

Office of the U.S. Atty
4000 US Court House
700 Grant Street
Pittsburgh, PA 15219


Frederick Banks

1. In lieu of the property being returned I need copies of all the data, documents, and items seized in the government's possession from me.
2. Request to Counsel were not answered and counsel had no authority to represent me with addresses / Remains to be seen.